



RAPPORTEUR'S REPORT

NEW YORK TRAINING SEMINAR ON PEACE-KEEPING

23 - 27 March 1992

UNITAR

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*The Seminar's panelists and participants represented a broad range of direct experience and analytic insight. As diverse views were expressed, the following report is a summary (not a consensus statement) of the presentations and discussions, and does not necessarily represent the views of UNITAR. In keeping with the ground rules of the seminar, the report has been prepared on a not-for-attribution basis.

Erratum

The last line on page -ii- should read
Christopher C. Coleman, a consultant
designated by UNITAR.

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PREFACE

This report emanates from the first *New York Training Seminar on Peace-keeping* of the United Nations Institute for Training and Research (UNITAR). The purpose for the report is to consolidate the seminar's principal ideas in an abbreviated and readable summary.

The Seminar was designed to enhance the participants' understanding of peace-keeping, its political context, history and evolution, as well as the most recent developments in the rapidly expanding realm of peace-keeping. The practical aspects of peace-keeping operations--how they are established, structured and managed, and the essential factors influencing their effectiveness--were addressed by both the resource faculty and participants. We trust that this report will impart some of the wisdom and provocative insights of these experienced practitioners, and that it will be useful, not only to those who attended the seminar but also to those in the United Nations community interested in peace-keeping.

This Seminar appears to meet some of the fundamental requirements for peace-keeping training. In the light of the assessment due to take place at the end of 1992, and funds permitting, UNITAR intends to continue the development of peace-keeping training programmes, including orientation training through occasional forums, awareness training in regular New York seminars, regional workshops and the design and production of didactic materials such as training videos and manuals to participate in teaching training skills. The strengthening and development of these programmes will be made in consultation and cooperation with the United Nations Secretariat, in particular the Department for Peace-keeping Operations.

UNITAR is grateful to the United Nations Secretariat for their support and contribution to this pilot New York Training Seminar on Peace-keeping; to members of the resource faculty for sharing their time and expertise regardless of demanding jobs in the Permanent Missions, Secretariat, and related United Nations agencies and non-governmental organizations.

This report has been prepared by Christopher C. Coleman, who must be commended for his labor. Lt. Colonel Christian Hårleman, Director of the Training Programmes for Peace-keeping and Peace-making, must also be thanked for designing and implementing the Seminar, as well as his Assistant, Linda G. Margraff and the Programme Coordinator, Anette Andersson, whose efforts and dedication contributed to the success of this Seminar. *We wish especially to thank Mrs. Ruth Forbes Young, whose generosity made this important pilot Seminar possible.*

Marcel A. Boisard
Acting Executive Director, UNITAR

Forward

The prerequisites and challenges for peace-keeping training are more predictable today than in the early days of the United Nations, when its role in peace-keeping was intensely debated. Initially, training was more or less carried out as an "information programme" with the purpose to provide policy- and decision-makers with a general understanding of the peace-keeping mechanism and its usefulness.

In recent years the number of peace-keeping operations has dramatically increased, and their tasks have become more complex and comprehensive, involving a variety of personnel from different United Nations organizations, as well as from an increasing number of governments. This development requires a more systematic approach to the preparation of peace-keeping units. Several troop-contributing countries have already responded to these requirements by carrying out national training as a part of the preparations for participating in a peace-keeping operation.

However, it is imperative to also train members of the Secretariat of the United Nations and related organizations, as well as the permanent missions, in order to increase their understanding and knowledge of international peace-keeping. In light of this and the Secretary-General's request for the United Nations Institute for Training and Research to develop a training programme for peace-keeping and peace-making, the first New York Training Seminar on Peace-keeping was held from 23 to 27 March 1992.

I am pleased to report that UNITAR's first training seminar on peace-keeping was effective enough to suggest its continuation. The evaluation of the seminar also indicated that UNITAR can continue to develop such programmes in New York, using the format established for the first seminar. The credit for this belongs to the resource persons and the participants, whose knowledge and devotion made this seminar a success. Furthermore, I especially wish to thank Mrs. Ruth Forbes Young, whose generous support made this pilot project possible.

The Seminar recapitulated many lessons learned from the past. The valuable experiences from this event can be found in the following report prepared by Dr. Christopher C. Coleman, a consultant designated by UNITAR.

Christian P. Hårleman
Director, Training Programmes for
Peace-keeping and Peace-making

Background

Peace-keeping forces were not foreseen by the founders of the United Nations and are nowhere mentioned in the Charter. The founders of the UN assumed that the post-World War II order would be based on continuing cooperation among the allied powers--China, France, the Soviet Union, the United Kingdom, and the United States--which were to be the five permanent members of the UN Security Council. Whenever other states could not settle their disputes peacefully, it was reasoned, these five could act in concert to deter or roll back aggression. Unfortunately, the Cold War divided the wartime allies, which frequently supported opposing sides in conflicts around the globe. Its unity shattered, the Council was unable to carry out its mandate to enforce peace.¹

Even at the height of Cold War competition, however, the great power antagonists (with frequent prodding from the Non-Aligned Movement) had an interest in:

- containing regional conflicts and preventing them from escalating into direct superpower confrontation;
- keeping within certain bounds the struggle to fill the power vacuums left by the decolonization process;
- providing "the cover of a fig leaf" to enable foreign forces wishing to withdraw from conflicts to do so.

UN peace-keeping was developed in order to serve these functions. In short, it was an instrument of pragmatic diplomacy, used to the extent possible by a UN Security Council (and in exceptional cases, General Assembly) which, although deeply divided, retained a few crucial interests in common. The goals of peace-keeping were limited: to stop armed conflicts before escalation, in hopes of facilitating their resolution by peaceful means. From 1948-1987 (roughly corresponding to the Cold War era), UN peace-keepers carried out these tasks in 13 different operations, some of which stayed in place for decades to maintain stability in otherwise volatile settings. For the most part, they were successful in achieving the important but limited objectives of peace-keeping.

Unfortunately, the hope that this success would lead to the achievement of the larger goal of peace-making, i.e. the resolution of the

¹ Enforcement measures fall under Chapter VII of the United Nations Charter. While the concept of peace-keeping was developed after the Charter was written, it may be considered a "provisional measure" under Article 40.

underlying conflict, proved false. While the great powers sometimes had a mutual interest in freezing a conflict in place, this level of commonality was insufficient to enable them to work together for genuine, lasting peace. Perhaps the best example of this discontinuity between peace-keeping and peace-making is the case of the first United Nations Emergency Force (UNEF I) in the Middle East, which was established to defuse the Suez Crisis in 1956. UNEF consisted of 1400 lightly armed soldiers who were deployed along a 395-mile front, to monitor a cease-fire, supervise the withdrawal of forces, and subsequently to establish a buffer zone and a vital presence at Sharm el-Sheikh. UNEF's creation set the stage for the British and French to withdraw from Egypt, and for the Israelis to leave the Sinai while retaining transit zones in the Gulf of Aqaba.

UNEF was very successful in fulfilling its mandate, keeping the peace for nine years. It was so successful that many people developed the gross misperception that it was a fighting force, something like NATO or the Warsaw Pact, which could deter aggression. In fact, it was a largely symbolic--albeit crucial--arrangement, operating with the consent of the parties and providing the linchpin for peace between Egypt and Israel. When Egypt withdrew its consent for UNEF to operate on its territory, the force had no choice but to leave, and war broke out quickly thereafter.

The lesson from this experience was that peace-keeping could not be expected to work forever. On the contrary, its purpose was (and is) to buy time for statesmen to make lasting peace. This means that the Security Council, especially its powerful members, must become actively involved in promoting true conciliation among the parties. Unfortunately, the great powers at that time were more intent on fighting the Cold War than on solving problems.

From its inception, UN peace-keeping has been based on the following principles:

- Peace-keeping operations are strictly impartial.
- In a truce or cease-fire under UN supervision, neither side should gain any military advantage.
- The agreement of the parties to the conflict to accept and cooperate with the operation is essential. **Peace-keeping is not enforcement.** Its main objective is to assist parties which are genuinely interested in ceasing hostilities. Notwithstanding, consent is sometimes obtained by persuading a party that if it withholds consent, it will become the target of enforcement

measures. Until recently, the Council rarely had the unity to issue such a warning with any credibility.

- Force is used only in the last resort in self-defense, and even then it is limited by the fact that the peace-keepers are very lightly armed. If a peace-keeping force gets into a shooting war, it will lose. Sometimes a **show** of force--but not its use--works wonders. For example, problems are sometimes prevented by quickly moving a large number of personnel to a locale where tension is rising. In general, however, the tools of a peace-keeping operation are negotiation and persuasion, not force. In the case of an observer mission, as opposed to a peace-keeping force, the military observers are unarmed.
- Governments **volunteer** to contribute troops to a UN peace-keeping operation. No country is required to commit its personnel.
- An unwritten understanding during the Cold War was that troops for UN operations would generally be provided by governments other than those of the great powers, especially the superpowers. With the end of the Cold War, this restriction has been relaxed. In fact, the Secretary-General now makes every effort to include the five permanent members of the Council in new operations.
- Peace-keeping is under international command. This typically means that operations are authorized by the Security Council, which delegates command to the Secretary-General, who in turn designates a Force Commander. Troops must not receive orders from their national governments.

Implications of Great Power Cooperation

As the Cold War began to wane in 1988, the permanent members of the Security Council were able to renew their long-dormant cooperation, improving the UN's effectiveness in the field of international peace and security. By 1990, this cooperation was consolidated. Consultations among the permanent five to settle regional conflicts had become routine, and new peace-keeping operations were being deployed in a variety of situations. Whereas 13 operations were established from 1945-1987, nine were created from 1988-March 1992. Peace-making also received more attention, resulting in the resolution of conflicts and the "happy disbanding" of several operations. Nevertheless, there still have been instances in which the Council has been remiss in its responsibility to oversee peace-keeping and peace-making. It

should always remain engaged, exercising its influence in a constructive manner, whether to push the parties toward an agreement or to ensure that bureaucratic divisions in the Secretariat do not impede the peace process.

Iraq's invasion of Kuwait presented the Security Council with the first post-Cold War crisis. The Council acted quickly and decisively, demanding Iraq's withdrawal, imposing economic sanctions, and later authorizing military enforcement. However, Operation Desert Storm was not a UN force but a US-led coalition operating with Security Council authorization. It was a very complex and costly arrangement which could only be resorted to in exceptional circumstances. Consequently, the UN is more likely to rely on peace-keeping than enforcement in the future. Since the completion of Desert Storm, in fact, the UN has authorized four new peace-keeping operations (in Southern Iraq, Western Sahara, Cambodia, and Yugoslavia).

Security Council Negotiations

As peace-keeping is a practical instrument of **diplomacy**, it cannot be understood apart from its political context. It is therefore useful to examine the negotiating process in the Council which leads to peace-keeping operations.

In Security Council negotiations, discussions among Council members are only the tip of the iceberg. Members are simultaneously in touch with their own allies, clients, and constituencies. For example, in the negotiations regarding Namibia, the Non-Aligned Group on the Council would take no decisions before first consulting the Africa Group, the Southwest Africa People's Organization (SWAPO), the Front Line States, and the Council for Namibia. While such an approach makes for slow and complicated negotiations, it is politically healthy, because it ensures that the final product is generally accepted and supported by interested parties.

Actors in the Security Council

The Security Council **President**, who is the focal point of the negotiating process, has the most influential role. Much rests on the President's ability, determination, and personal courage.

If the Council is to be effective, cooperation among the **permanent members** is essential, not only because they each have a veto, but also due to their collective political, military and economic power. Enhanced cooperation among the permanent five is the single most important factor in the Council's successes since the end of the Cold War.

Another important actor is the **Non-Aligned Movement (NAM)**. When the Council was divided along Cold War lines, the NAM often took the initiative in promoting the peaceful settlement of disputes. Until recently, this group voted as a bloc and was always a force to reckon with.

With the end of the Cold War, however, the raison d'être of the NAM, which was originally formed by countries hoping to stay out of the East-West conflict, disappeared, and the group's unity was weakened. In the Gulf Crisis, unity broke down altogether. As a result, the group has exercised much less control over Council decisions, although recently the NAM appears to have resumed more or less effective consultations on at least some issues.

The **Secretary-General** is not a party to Security Council negotiations themselves but has an important role in implementing Council decisions. In addition to exercising day-to-day control over peace-keeping operations, the Secretary-General is often requested to provide good offices--i.e. to be an intermediary--in the pursuit of peace and security. Having received a strong mandate from the Council in the January 1992 summit declaration, he is well positioned for taking diplomatic initiatives to promote peace and security.

Expansion of the Council's Mandate

Under the UN Charter, the Security Council is charged with maintaining international peace and security. In practice this mandate has expanded in the last three years, to the point that questions are now being raised as to what exactly constitutes international peace and security. For example, the Council has recently established precedents for dealing with at least some aspects of international terrorism, internal affairs and humanitarian assistance in the case of civil wars, and arms control.

This burgeoning of authority does have limits, however. Efforts to expand the mandate to cover drug trafficking, for example, failed when some Council members insisted that this fell under the exclusive competence of the General Assembly. As illustrated in this case, the question is not just whether an issue is technically a matter of international peace and security, but also whether there is a risk of expanding the Council's mandate too much to the detriment of the power of the General Assembly, a forum which has almost universal membership and which is therefore favored by developing countries.

As a group of mainly developing countries, many in the NAM have an interest in avoiding uncontrolled development of precedents for Council

involvement. This commonality has helped the group to regain at least some of its former unity in recent times.

The Question of Security Council Legitimacy

While the larger UN membership has generally welcomed post-Cold War cooperation among the permanent five, there has been some questioning of the Council's legitimacy in this activist phase. Some believe that the group of five permanent members should be expanded or changed, in order to reflect current realities of power. Some perceive a growing "tyranny of the Security Council," believe that it should consult more widely, and fear that it may act in the service of the few or even solely on behalf of the United States as the dominant power. Calls have been made for more communication between the Council and the General Assembly and between the permanent five and the other members of the Council.

The Council should make every effort to keep all member states informed, but it would be impractical to consult every state before taking a decision. While to some extent this presents a trade-off, pragmatic formulas should be sought, in order to enhance communication without undermining effective action. For example, Hammarskjöld addressed this problem by setting up advisory groups on complex problems such as the Congo Operation and the first United Nations Emergency Force. Any interested state could participate. Perhaps the litmus test for whether the Council consults widely enough is whether there are cases in which peace settlements are jeopardized because an interested party has not been consulted.

The Legislative and Budgetary Process With Regard to Peace-keeping

Once an agreement has been secured among the parties to the conflict to commit themselves, for example, to a cease-fire and withdrawal of forces, and once they have pledged cooperation with a UN peace-keeping operation to help implement the agreement, a chain of events must take place at the UN before actual deployment. Typically, the Security Council passes a resolution which authorizes the establishment of the operation in principle and asks the Secretary-General to submit a detailed plan for the operation, together with an estimated budget. Time permitting, the Secretary-General dispatches one or more reconnaissance missions, then prepares his report to the Council. The Council then passes a second resolution, approving the Secretary-General's plan and formally authorizing the peace-keeping operation. At this point, a detailed budget is worked out by the Secretariat, after which it must go to the General

Assembly's Advisory Committee on Administrative and Budgetary Questions (ACABQ), then to the Fifth Committee which decides on a recommendation for appropriation, and finally to the plenary of the General Assembly for approval.²

This involved process is time consuming. Between the time of the Security Council's second resolution and the General Assembly's approval of the budget, which can take months, the Secretariat has very little spending authority. Once the budget has been approved, additional time is required to solicit bids from private contractors for the supply of vehicles, communications equipment, pre-fabricated housing, etc. In the meantime, of course, there is a lot of pressure to deploy the operation as quickly as possible.

What can be done to ease this difficulty? First, by citing "unforeseen and extraordinary" expenses, the Secretary-General can commit up to \$3 million on his own authority and up to \$10 million with the approval of ACABQ, on any one resolution of the Security Council. However, this is a pittance in view of the several large operations which the UN has had to field recently. To cope with this problem, the Secretary-General has emphasized the necessity of start-up funds for future peace-keeping operations, proposed the establishment of a peace endowment fund, and stressed the need to build up a reserve stock of selected equipment.

While prestoring of equipment has been opposed by some due to the risk that it will deteriorate before being used, there are ways to circumvent that problem. For example:

- Stockpile only those goods which have a long shelf life;

²In the case of Yugoslavia, the Council (especially the five permanent members) requested a more detailed budget before agreeing to establish the operation. The reason was that the Council felt that Yugoslavia itself could contribute more to the local costs of the operation. The Council was holding up the peace-keeping operation as a bargaining chip.

When faced with Council requests for detailed financial information, the Secretary-General provides it on a "for-information-only" basis, since Article 17 of the Charter allocates responsibility for financial questions to the General Assembly, not the Security Council. The permanent five's increasing involvement in budgetary questions poses a potential problem: What would happen if the Council were to negotiate with the Secretariat for budgetary changes which ran counter to the wishes of ACABQ and the Fifth Committee?

- Contract with major manufacturers to keep goods such as vehicles or communications equipment on stand-by. Under this arrangement, which some national governments have utilized at a modest cost, the manufacturer rotates the stand-by stock on a regular basis in the course of its normal marketing activity's, thus preventing depreciation.

The UN could also look into "pre-tendering," i.e. soliciting bids in advance for equipment that is likely to be needed on short notice in a new operation. Some national governments have used this procedure successfully, reaching an understanding with private contractors that the bids would be valid for a specified period.

In the case of Cambodia, in order to resolve the dilemma of time lag and lack of start-up funds, an advance operation (UNAMIC) was proposed, approved, and deployed in November 1991, soon after the signing of the Paris Agreement. The advance mission was merged into the full operation, UNTAC, when the latter was deployed. This was one way of getting the operation started while other preparations were still going on. It was far from ideal, however, and some questioned the wisdom of deploying a small group which would have been unable to cope with any large problems that might have arisen. Perhaps a skeletal operation gives the appearance of vulnerability and invites attack.

Also in the case of UNTAC, the Secretary-General proposed, and the General Assembly approved, an initial \$200 million appropriation, pending the formulation and approval of the full budget. This was helpful in view of the fact that it was impossible to formulate a precise budget in a complex case like Cambodia, in which there are many unknowns. There was some fear, however, that it would take a long time to finalize the budget, and that in the meantime the member states could be subjected to "salami tactics," being requested to finance the operation piecemeal, without knowing the final cost.

Establishment of a Peace-keeping Operation

Unlike a national government, the UN has no standing army. Each new peace-keeping operation must be established from scratch. This process involves a myriad of major and minor decisions and continuous, complex consultations between the UN Secretariat and member states.

Once the Security Council has made a decision to establish a peace-keeping operation, several major questions must be addressed in light of the specific operation's mandate, the nature of the conflict, conditions on the ground, etc.

The first question to be addressed is what **type of operation** is most appropriate under the circumstances. Options include (i) a military observer mission, usually small in scale and consisting entirely of unarmed officers (military observers); (ii) a peace-keeping force in which soldiers carry light arms for self-defense (generally preferred whenever the mandate includes physically securing a piece of territory, such as a demilitarized zone or a buffer zone); (iii) a combination peace-keeping force and observer mission; or (iv) a multifaceted operation, requiring not only the above but large civilian components as well. Of this last type, the ultimate example is the Cambodia operation, the civilian staff of which will include police, human rights experts, and civil administrators to monitor and even control certain ministries and agencies of the Cambodian government. UN personnel will also conduct elections, repatriate Cambodian refugees and displaced persons, and rehabilitate Cambodia's infrastructure.³

A second question to be addressed regards the **size of the operation**. How many personnel will be required in each of the above categories? UN peace-keeping operations have ranged from two military observers in the Dominican Republic in the mid-1960s to what is expected to be some 22,000 civilian and military personnel in Cambodia.

Third, what is to be the **composition of the operation**? With the end of the Cold War, the Secretary-General seeks not only to achieve balanced participation from different regions of the world, but also to include, when feasible, the five permanent members of the Security Council. A particularly important element in the operation's composition is the head of the mission.

In determining the operation's composition and head, the Secretariat must consult not only the potential troop contributors, but also (informally) the parties to the conflict. Once their agreement has been obtained, the Security Council must also approve.

To reflect that a peace-keeping operation is a neutral UN force, its "permanent" personnel (inasmuch as the operation is permanent), such as political advisers and legal advisers, are drawn from the UN Secretariat Staff, while rotating personnel, such as soldiers, civilian police, and electoral monitors, are contributed by governments.

³While most multifaceted operations have occurred since the end of the Cold War, the one in the Congo (1960-64) had many of the same features.

A fourth set of questions regards **operational and logistical support**. For example, what type of vehicles are best for this specific operation? Will armored personnel carriers be needed? Should the operation have air and/or naval capability? Within the limitation of "light defensive weapons," exactly what type of arms, if any, fit the circumstances?

Air capability is usually required for rapid deployment in countries with limited infrastructure, as well as for observation and reconnaissance in many operations. The decision must be made as to whether helicopters, fixed-winged aircraft, or both are most appropriate. While the use of naval peace-keepers has been rare, they were used in Central America to patrol the Gulf of Fonseca, and they are envisioned for Cambodia, to watch over the coastal areas and Tonle Sap (the large inland lake).

Decisions regarding operational support depend in large part on the means by which the peace-keepers plan to keep an eye on potential trouble spots (e.g. fixed observation posts, check-points, mobile patrols, over flights, etc.).

The UN is barred from owning military equipment. It therefore requests governments contributing military units (such as an infantry or logistics battalion), to bring their own generic equipment. If a government does not have all the necessary equipment (which is unusual, since peace-keeping forces are only lightly armed), the UN may issue a "letter of assist" or negotiate with another troop contributor to make equipment available to its fellow battalion. The UN reimburses troop contributors for depreciation over a four-year period (30; 30; 20; 20 per cent ratio).

This generic equipment and the support capability of the various battalions must be supplemented by second and third line support which, in a national army, would be provided at the brigade or divisional level. As a UN operation lacks this larger organizational structure, peace-keeping operations typically include a logistics and maintenance battalion, as well as airlift, medical, and communications units.

UN operations are surprisingly "low-tech." This reflects the fact that an important instrument of UN peace-keeping operations is personal contact in the form of negotiation and mediation to defuse tense situations. The UN therefore relies more heavily on people than equipment to keep the peace. Moreover, the local parties may not agree to being placed under sophisticated satellite or radar surveillance.

A fifth set of questions relates to the **Status of Forces Agreement (SOFA)**, which must be concluded between the UN and the parties. It should include an agreement on the legal status of UN personnel, typically relying on the Convention on Privileges and Immunities of the United Nations. It should also outline the obligations of UN personnel, for example to be impartial and to respect the sovereignty of the host governments.

If the area of deployment is not under the control of a government, it is sometimes difficult to assure the rights and safety of UN personnel, especially if several competing militias or irregular forces are operating in the vicinity. For example, a number of peace-keepers in Lebanon have been held hostage; one was killed in captivity.

In order to answer the above questions and to design an operation, especially a multi-faceted one, in an effective and economical manner, reconnaissance missions are required to gather first-hand information about the situation on the ground, including such essential factors as the local infrastructure (or lack thereof) on which the UN will have to rely when it deploys. There have been crises, of course, in which advance missions were impossible, because a substantial UN presence was required immediately in order to prevent the fighting from escalating out of control.

Operational Effectiveness of Peace-keeping Operations

Peace-keeping operations are most effective when they are established in keeping with time-tested principles⁴. Once on the ground, they require an effective and coordinated **liaison network with the parties** to the conflict. Liaison is important at every level. If a party violates its commitments, the peace-keepers on the spot can often sort out the problem before it escalates and then make arrangements to prevent its recurrence. If this proves impossible, the violation must be addressed at a higher level, eventually reaching the Force Commander, the Secretary-General, or the Security Council.

Peace-keeping operations also require **effective communication with headquarters in New York**. Due to the proliferation of new peace-keeping operations, the Field Operations Division (FOD) and the Department of Peace-keeping Operations have been deluged with correspondence from the field. These offices need more people, in order to be able to respond in a timely manner and thus improve performance in the field. (These offices have about

⁴See pages 2 and 3.

the same number of staff that they had a decade ago, even though the number and size of operations have expanded tremendously).

In addition, the effectiveness of an operation depends on **freedom of movement** for the peace-keepers to carry out their tasks. Also required is the **support of the local population**, which is gained in part by demonstrating impartiality and credibility.

It is crucial, moreover, to have a highly **capable head of mission**, whether a Special Representative of the Secretary-General (usually a civilian), a force commander or a chief military observer. In most operations, the force commander is made available to the UN by a troop-contributing country. To some extent, therefore, the Secretary-General is dependent on a government to provide someone who is amply qualified. In cases in which the force commander is not performing to expectations, however, the Secretary-General can and occasionally does inform the individual's home government that it is time for a change.

Finally, in order to be effective, peace-keeping operations require broad **international support**, especially from the members of the Security Council, and a **sound financial basis**.

Recent Developments in Peace-keeping

Electoral Verification: Experiences from Central America and the Caribbean.

The origin of the UN role in electoral verification goes back to the period of decolonization. In many cases involving trust territories and non-self-governing territories, the UN verified elections in which the people were deciding on questions of self determination: whether they wanted to be independent, have some form of association with another country or join it; whether they wanted to live under monarchy or other forms of government, etc. The culmination of UN electoral verification in non-self-governing territories was the Namibia operation, which marked that country's transition to independence.

Throughout its history, the UN has been extremely reluctant to intervene in matters pertaining to the domestic jurisdiction of independent states.⁵ The first case of UN electoral verification in an independent country was Nicaragua. In 1987, the five Central American presidents signed the Esquipulas Agreement, which had as its twin pillars: (i) to ensure total democratization in the five Central American countries, and (ii) to prevent rebels from attacking their home countries from sanctuaries across international boundaries, and to stop foreign aid to insurrectionist movements.

The goals of the Esquipulas Agreement, in other words, were to flush out rebels or insurrectionist forces from neighboring states, while ensuring that they would have ample political space upon returning home.

It was also foreseen in Esquipulas that the UN and/or the OAS would verify electoral processes in Central America. In early 1989, the government of Nicaragua announced its intention to hold elections in February of the following year and to invite the Secretaries-General of the UN and the OAS to observe the elections.

This was the first time that the UN had been asked by a member state to have its own electoral process supervised. Before accepting, the UN Secretary-General wanted to be sure that: (i) he had the broad support of member states for such an undertaking, and (ii) he would not be conferring legitimacy on an election unless it conformed with normally accepted international standards.

As part of his decision-making process, the Secretary-General sent a series of preliminary missions to Nicaragua, both of a technical nature, to study the electoral system, and also of a political nature, to ascertain what the reaction of the government and of the opposition parties would be to UN verification of elections. In July 1989, when he was convinced that a UN operation would be credible and worthwhile, the Secretary-General sent a letter to the President of the General Assembly stating his intention to verify the elections in Nicaragua in February 1990.

A small group of electoral monitors arrived in August 1989. The mission was progressively augmented to a total of 240 by the time of the elections in February. The outcome of this experiment was a happy one; UN monitoring of the Nicaraguan elections was widely deemed to be an unqualified success.

⁵This is in keeping with Article 2, paragraph 7 of the Charter.

Shortly afterwards, in the summer of 1990, the provisional government of Haiti requested the Secretary-General to send observers and security personnel to its elections at the end of that year. This time, the rationale for UN involvement was less clear; in contrast to the Nicaraguan case, no international conflict or peace process was under way in Haiti. There was a feeling in the Secretariat, however, that Haiti might be reaching a turning point in its political life--that if a fair election were held with solid international supervision, it might produce a President who would have broad popular support. This political consolidation, together with a package of economic reforms and economic assistance, could perhaps begin to heal Haiti's tragic internal divisions and put the country on the road to normality.

Searching for a rationale to assist Haiti in this particular situation, the Secretary-General brought the matter to the Security Council, stating that he was sending the mission as an exercise in preventive diplomacy. Were the situation in Haiti not to improve, he argued, it might have adverse regional consequences, mainly in terms of a mass exodus of refugees.

The Security Council took note of the Secretary-General's intention but, as the international dimension was dubious, deferred on this matter to the General Assembly, which approved the electoral mission in October of 1990. It was deployed that same month. In the December elections, Mr. Aristide won a clear-cut victory with broad support. Nine months later, the elected government was overthrown in a military coup. This raised some difficult questions, as discussed below.

Election Monitoring: Some Unresolved Issues

When the rationale for UN involvement is to help a country which is at a turning point, should the Organization accept some level of responsibility after the elections, to support the freely elected government? While elections may be a necessary instrument of democracy, they are not a panacea. It is unlikely that elections will lead to stable, pluralistic politics in a country with major economic and social problems, unless those are addressed as well. Of course, the General Assembly and/or the Security Council would only rarely be willing to assume such a major, lingering responsibility. But then, UN verification of elections is only carried out in exceptional circumstances in any case.

Other, perhaps less serious problems, also need to be addressed. To date, the UN has verified or observed elections in countries and territories rather small in size, with fairly small populations, and with languages easily accessible to outside observers. What would happen, in contrast, if the UN had to observe an election in Kazakhstan, to take one example? The practical difficulties should be carefully considered.

Another question to be explored is the relationship between the UN, regional organizations, and non-governmental organizations (NGOs), when they are all monitoring the same election. In both Nicaragua and Haiti, the OAS as well as the UN verified the elections. The two organizations worked in a spirit of cooperation, providing an example of an international organization and a regional organization being able to work together. What would have happened, however, if they had disagreed on whether an election was free and fair?

In Nicaragua, many NGOs observed the electoral process. In all, there were approximately 3,000 observers, of whom less than ten per cent came from the UN. In the future, should the UN seek to bring NGO observers under its umbrella, or are some of these groups simply too biased or politically committed to one side or the other?

Criteria for UN Involvement

A set of useful criteria--some of which are contained in a report of the Secretary-General to the General Assembly⁶--for UN involvement in electoral verification might include the following:

- The UN should verify an electoral process only at the request of the government concerned, not at the request of any other government.
- The request for UN verification should have broad popular support, so that a government lacking legitimacy would not be able to use UN verification of elections in order to legitimize itself.
- The electoral process should be conducted according to generally accepted norms and standards.

⁶See "Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections: Report of the Secretary-General," United Nations General Assembly Document A/46/609, 19 November 1991.

- Verification should cover the entire electoral process, from the moment of registration to the period immediately after the election, when the winner is declared and when irregularities are discussed.
- UN monitoring should take place only if the elections have international implications, broadly defined, including in cases in which the country is at a defining moment in its political life.
- There should be clear authorization of a mandate by a proper political organ (in most cases the General Assembly, but in some instances the Security Council).

Peace-keeping and Human Rights Monitoring:
The Case of El Salvador

El Salvador provides an extraordinary case. The UN Secretary-General, without a clear mandate from the Security Council, was asked by the parties to an internal conflict to act as an intermediary in efforts to achieve a political solution involving full democratization of the society. On 22 May 1990, the two parties agreed to an agenda of the following items:

- Political reforms
- Army reforms
- Constitutional reforms
- Human rights
- Social and economic issues
- Electoral reforms

This was a full constitutional agenda. Clearly the objective was not only to stop the fighting, but also to resolve some of the fundamental problems which had caused the war. On 26 July 1990, with the assistance of the Special Representative of the Secretary-General, the parties tackled one of the agenda items, human rights, in an agreement signed in San Jose, Costa Rica. This was a far-reaching document, spelling out extensive and detailed commitments to human rights. It called for verification by an on-site UN mission, which would have broad powers to monitor and investigate human rights violations in El Salvador and to report regularly to the UN Secretary-General and General Assembly.

Originally, it was envisaged that the UN would begin the task of human rights monitoring when agreement had been reached on the other agenda items and the fighting had stopped. However, as the negotiations soon appeared to be losing momentum, pressure built up to begin the mission even before the end of the conflict.

The Secretary-General was concerned that if the UN responded to this pressure prematurely, it might have an adverse effect on the peace-making process. In particular, once human rights were being monitored, the Salvadoran government and its supporters might contend that this was a sufficient basis for peace, and that negotiations should therefore lead only to a simple cease-fire. This could have set back the peace process, given that the agenda also included other items of enormous importance. On the other hand, establishing the mission might give the stalled peace process a new lease on life.

Before making a decision, the Secretary-General sent a mission of four human rights experts to analyze the situation on the ground and to suggest whether it was feasible for the UN to establish the monitoring mechanism. On the basis of their report, and having concluded that the peace-making process would not be compromised, the Secretary-General moved forward. The human rights mechanism was established on 1 August 1991 and remains there today.

Since the establishment of the mechanism, which occurred nearly seven months before the end of the war, the number of human rights violations in El Salvador has fallen dramatically.

This is the first case in which the UN has had such broad powers to monitor human rights in an independent state in the context of peace-keeping and peace-making. The potential for constructive use of human rights mechanisms in other conflicts appears promising, provided that it is done with the agreement of the parties. Otherwise the cooperation of the parties, which has been crucial in the Salvadoran case, as well as the safety of the mission would be in question, leave aside the fact that it would clearly constitute intervention in internal affairs against the wishes of the government. A human rights presence could also be used as a preventive measure in countries where violations appear to be leading toward internal or international conflict.

Humanitarian Assistance, Peace-keeping and Enforcement⁷

Peace-keeping techniques have begun to be used to facilitate humanitarian assistance. The "corridors of tranquillity," established in the Sudan and Angola so that help could be given to the local population, were but cease-fire zones by another name.

In some cases, attempting to ensure delivery of aid in areas torn by civil strife is closer to enforcement than to peace-keeping. Relief efforts often concern internally displaced and vulnerable populations, as well as the repatriation of refugees; such efforts may need security support, which may be contrary to the wishes of the government. In a zone of conflict, the provision of humanitarian assistance by military personnel under UN command may be seen as having military significance by governments and rebel movements.

To what extent can peace-keeping techniques be adapted to humanitarian operations which border on (or fall squarely under) enforcement action? Peace-keeping, which depends on the principle of consent, may be ill-suited to the **forcible** delivery of humanitarian assistance, a task which should be taken up only as an enforcement action. In certain cases, a lightly armed peace-keeping force, with the primary objective of supporting humanitarian operations, could ensure the security of relief personnel by largely symbolic means. Another possibility, in cases in which the local government has accepted humanitarian aid but small fighting groups impede its delivery, is to deploy a force capable of military action against those who hinder the relief operation.

In the Security Council's discussions of whether or not to establish in Somalia an operation whose mandate would include humanitarian assistance, the question of a cease-fire (or its absence) has loomed large. Should the UN be involved even when it is not safe? Would this affect the willingness of troop contributors to make their personnel available? At least some troop-contributors are prepared to accept greater risks, provided that these new types of operations are backed up with more political and financial support from the Security Council. A larger question, which relates to enforcement, is whether the international community has a responsibility to stop the cycle of violence, even though it will have to use violence in order to do so.

⁷Part of this section draws on Philippe L. Boulle, "Use of Peace-keeping Instruments for Humanitarian Assistance," an unpublished paper prepared for this seminar.

Financing of UN Peace-keeping Operations

United Nations peace-keeping suffers from severe under financing, due to the fact that a number of member states, the USA most prominent among them, do not pay their full assessments, or pay them very late. Another complicating factor is that some states tend to pay for those operations which are most important to them and neglect the others. The United Nations Interim Force in Lebanon (UNIFIL), for example, has long been behind in the collection of assessed contributions. It is currently owed more than \$200 million.

When faced with this kind of situation, the only way the UN can ensure that the operation on the ground can continue to operate is to pay only the commercial bills, while delaying payments to the troop contributors. As a result, the latter, many of which are small countries, bear a very heavy burden. This may prevent some developing countries from becoming troop contributors.

In view of peace-keeping's financial difficulties, it is tempting to obtain money from non-governmental sources. For example, a one percent levy on all international arms transactions would amount to roughly \$2 billion per year. Moreover, when the UN established an observer operation as part of the settlement of the Iran-Iraq war, insurance rates on shipping in the Gulf plummeted, saving private companies millions of dollars. Yet deployment of the observer mission was delayed because no member state would put up \$170,000 to fly the necessary signals equipment to the Gulf. Could not those companies which profit from such stability help to pay for it? Of course, governments are reluctant to relinquish their monopoly on the financing of peace-keeping operations, because it gives them control.

Financial aspects need to be put into perspective. In some cases, such as Namibia, time lost while quibbling over the costs very nearly jeopardized the success of the mission. At stake in these operations are the lives of millions of people in countries affected by conflict. There is a great deal of complaining, especially in Western countries, about the cost of \$650 million for peace-keeping in Yugoslavia, and \$2 billion, stretched out over a two-year period, in Cambodia, a country which has suffered perhaps more than any other from the Cold War. Yet, one B-2 bomber, which is unlikely to be used in any foreseeable situation, costs \$1 billion. One day of Desert Storm cost approximately \$1.5 billion; two days of Desert Storm would have comfortably paid for the whole UN budget for peace-keeping operations and emergency operations for a whole year world-wide.

The UN and the Post-Cold War Collective Security System

The real question about the future of international peace-keeping is whether it can cease to be a haphazard sheriff's posse, put together after the disaster has occurred to try to mitigate the results of a conflict; whether it can become part of a coherent system, beginning with vigilance and evaluation of the whole world-wide situation with regard to international peace and security, a system which would automatically lead to efforts by the Secretary-General, the Security Council, and governments to exercise measures to prevent conflicts from happening.

Many feel that the regional organizations should become pillars of this system, so that problems can be solved at the lowest level possible--regionally or sub-regionally. Using this tiered approach to international peace and security will make it easier to play a useful role in areas of no strategic importance to the great powers, areas which would otherwise be neglected. An alternative view is that the regional organizations lack the operational machinery to play an important peace-keeping role and that they are often too divided, when faced with conflicts in their respective neighborhoods, to take effective action.

With regard to vigilance and early warning, secret intelligence is not that useful. What is important is to properly evaluate the information that is readily available. That is much harder. Iraq's invasion of Kuwait is a case in point: the indicators were glaring, but the member states did not want to see it, so they skewed the information. In other cases, everyone knows that a crisis is brewing, but key members of the Security Council lack the political will to do anything about it.

Under the kind of coherent system envisaged above, preventive measures could include a whole range of activities, including, for example:

- quiet diplomacy, which is already a regular feature of the Secretary-General's work;
- more active use of the International Court of Justice (and it is worth noting in this respect that the former Secretary-General twice suggested that his office as an institution should be given the authority to seek an advisory opinion from the Court); and
- innovative techniques such as a preventive peace-keeping presence on threatened borders.

It would be understood under this system that if all else fails, the Council would have to cross the line between Chapter VI (peaceful settlement of disputes) and Chapter VII (enforcement). It is possible to do this, now that the Cold War is over.

It may also be useful, in some instances, to back up peace-keeping forces with a stronger, over-the-horizon presence--perhaps including forces from the five permanent members of the Security Council. This unified demonstration of military and political commitment by the great powers could have a very positive effect in certain conflicts. If parties to a conflict failed to abide by their commitments vis-a-vis the peace-keeping operation, this stronger force could be brought in to rescue UN personnel and perhaps their mission as well.

The current problem is that peace-keeping is too popular, has too much unanimous support, and is being called upon all the time. As a result, peace-keeping is short on money, personnel, and equipment, and it is sometimes used as a substitute for, rather than a complement to, efforts to resolve underlying conflicts. Were it to become part of a coherent system, demands for it would gradually decrease. The system proposed above would save money. Once in effect, it would make possible an enormous reduction in defense budgets. It would, of course, require full political support of the membership and particularly the members of the Security Council, and it would require certain minimal resources of money, logistics and training.

New York Training Seminar on Peace-keeping

23 - 27 March 1992

Purpose: to develop a working understanding and knowledge of peace-keeping operations as a major instrument of the United Nations for the maintenance of international peace and security.

Programme

Monday, 23 March

Morning	INTRODUCTION AND BACKGROUND
9.45 - 10.15 a.m.	Registration of participants
10.15 - 10.30 a.m.	Opening of the seminar <u>Mr. Abdou Ciss</u> , Assistant Secretary-General, Office of Human Resources, United Nations
10.30 - 11.30 a.m.	Introduction and purpose of the seminar <u>Lt. Col. Christian Hårleman</u> , Director, Training Programmes for Peace-keeping and Peace-making, UNITAR Introduction of participants
11.30 a.m.-12.45 p.m.	United Nations peace-keeping as an instrument for the maintenance of international peace and security <u>Sir Brian Urquhart</u> , Scholar-in-Residence, The Ford Foundation

Monday Afternoon

- 2.30 - 4.00 p.m. Development of the concept of
peace-keeping and peace-making
Mr. F. T. Liu.
Special Adviser,
International Peace Academy
- 4.00 - 5.30 p.m. Structure and political dynamics of the
Security Council
H. E. Mr. Philippe Kirsch.
Deputy Permanent Representative
of Canada to the United Nations

Tuesday, 24 March

Morning

ESTABLISHMENT AND OPERATION

- 9.45 - 11.30 a.m. Negotiations to establish a peace-keeping force
or observer mission
Ms. Hisako Shimura.
Director, Department of Peace-keeping Operations,
United Nations
- 11.30 - 12.45 a.m. The role of troop-contributing and host countries in
the establishment of a peace-keeping force
H. E. Mr. Lars-Göran Engfeldt.
Deputy Permanent Representative
of Sweden to the United Nations

Afternoon

- 2.00 - 3.00 p.m. Operational effectiveness of a peace-keeping force
Col. Heikki Purola.
Deputy Military Adviser to the Secretary-General,
Department of Peace-keeping Operations,
United Nations
- 3.00 - 6.00 p.m. Simulation exercise: establishment of a
peace-keeping force
Lt. Col. Christian Hårleman and the resource staff

Wednesday, 25 March

Morning

MANAGEMENT AND STRUCTURE

9.45 - 11.15 a.m.

Management and administration of a peace-keeping force.

Mr. Govind Prasad.

Former Chief Administrative Officer,
United Nations Interim Force in Lebanon (UNIFIL)

11.30 a.m.-12.45 p.m.

Financial implications of a peace-keeping force

Mr. Leon Hosang.

Assistant Director, Office of Programme Planning,
Budget and Finance, United Nations

Afternoon

3.00 - 5.30 p.m.

Mini-workshop: discussion on peace-keeping management and effectiveness

Lt. Col. Christian Hårleman and resource staff

Thursday, 26 March

Morning

RECENT DEVELOPMENTS

9.45 - 11.15 a.m.

Monitoring human rights - a new role for the United Nations

Mr. Francesc Vendrell.

Deputy Personal Representative of the Secretary-General for the Peace Process in Central America,
United Nations

Afternoon

11.30 a.m.-12.45 p.m.

Use of the peace-keeping instrument for humanitarian assistance

Mr. Philippe Boullé.

Director, New York Office of the United Nations
Disaster Relief Co-ordinator, United Nations

Thursday Afternoon

2.30 - 6.00 p.m. Lessons from Cambodia: political and operational aspects (a case study)
Mr. Howard Bamsey,
Deputy Permanent Representative of Australia to the United Nations

Friday, 27 March

Morning

9.45 - 11.00 a.m. Lessons from election supervision
Mr. Francesc Vendrell,
Deputy Personal Representative of the Secretary-General for the Peace Process in Central America, United Nations

ENFORCEMENT

11.15 - 12.45 a.m. Enforcement Action and its aftermath: return to Chapter VII of the United Nations Charter
Maj. Gen. Indarjit Ribkye (Ret.),
Senior Adviser, United Nations Affairs, United States Institute of Peace, Washington, D.C.

Afternoon

CONCLUSION

2.30 - 4.00 p.m. The United Nations and the post-cold war collective security system: regional and international peace-keeping
Mr. George Sherry,
Senior Fellow, UNITAR

4.00 - 5.00 p.m. Evaluation of the seminar
Lt. Col. Christian Hårleman

Closing remarks

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Director, New York Office of the
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Co-ordinator, United Nations

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ABOUT UNITAR

The United Nations Institute for Training and Research (UNITAR) was established in 1965 as an autonomous body within the United Nations with the purpose of enhancing the effectiveness of the UN through appropriate training and research programmes. UNITAR works under the policy direction of a Board of Trustees and is headed by an Executive Director. The Institute is supported by voluntary contributions from governments, intergovernmental organizations, foundations and other non-governmental sources.

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ABOUT THE RAPPORTEUR

Christopher C. Coleman is a consultant with UNITAR's Training Programmes for Peace-keeping and Peace-making. He has designed training courses that teach the skills of peace-keeping, negotiation and mediation for diplomats and military officers from every region and sub-region of the world. He has conducted independent assessments of ongoing conflicts for a broad range of governments, universities and strategic studies institutes.

He has held a number of posts at the International Peace Academy from 1984-1990. Prior to this he worked in the office of the Secretary-General of the Organization of American States (OAS).

He is the editor of two books and the author of several articles on diplomacy and conflict management.